



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 10/071,417  
Filing Date: 02/06/2002  
Applicant: Donald Pannell  
Group Art Unit: 2662  
Examiner: Melvin C. Marcelo  
Title: QUALITY OF SERVICE QUEUEING SYSTEM FOR A  
NETWORK SWITCH  
Attorney Docket: MP0117

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Mail Stop Issue Fee  
Director of the United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

**COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE**

Reasons for allowance are only warranted in instances in which "the record of the prosecution as a whole does not make clear the Examiner's reasons for allowing a claim or claims." 37 C.F.R. 1.104(e). In the present case, Applicant believes the record as a whole makes clear the reasons for allowance and therefore no statement by the Examiner is necessary or warranted. Therefore, the record should reflect that Applicant does not necessary agree with the statement in the reasons for allowance.

For example, the Examiner loosely paraphrases portions of Claim 1 in the Statement of Reasons for Allowance, which purportedly applies to all of the


independent claims of the application. The quoted language does not exactly correspond to Claim 1 or any of the other allowed independent Claims.

Applicant's claims should be limited only by the terms utilized therein. Thus, Applicant hereby submits these Comments in an effort to ensure that the claims are properly construed based only upon limitations that are actually present therein and/or to ensure that the claims are not interpreted so as to include any additional claim limitations that are not found in the respective claims.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned. If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

Dated: February 27, 2006

By:   
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